



PTO/SB/51 (09-04)  
Approved for use through 04/30/2007. OMB 0651-0033  
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## REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)  
1662/492021

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,365,574 B2, granted April 2, 2002 and for which a reissue patent is sought on the invention entitled Ethanolate of Azithromycin, Process for Manufacture and Pharmaceutical Compositions Thereof

the specification of which

☐ is attached hereto.

☒ was filed on April 2, 2004, reissue application number 10 / 816,376  
and was amended on August 27, 2004, February 3, 2005, and June 30, 2005.  
(If applicable)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

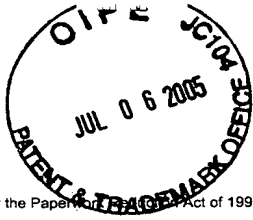
The patentee claimed less than it had the right to claim in the patent. For example, in the preliminary amendment dated August 27, 2004, and subsequently amended on June 30, 2005, a new method-of-treating claim was added (claim 34). Also, original claim 8 was corrected by amendment dated June 30, 2005, by removing the unduly narrowing "isolating" step.

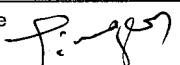
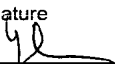
[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)				Docket Number (Optional) 1662/492021	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. Note: To appoint a power of attorney, use form PTO/SB/81. Correspondence Address : Direct all communications about the application to:					
<input checked="" type="checkbox"/> Customer Number : 26646					
OR					
<input type="checkbox"/> Firm or Individual Name					
Address					
City		State		ZIP	
Country					
Telephone		Fax			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.					
Full name of sole or first inventor (given name, family name) Claude Singer					
Inventor's signature X 		Date X 18.6.05			
Residence 8/8 David Elazar Street, Kfar Saba, Israel, 44358		Citizenship Israel			
Mailing Address same as above					
Full name of second joint inventor (given name, family name) Judith Aronhime					
Inventor's signature X 		Date X 19.6.05			
Residence Rehov Harav Maor Iosef 5a, 76217 Rehovot, Israel		Citizenship Israel			
Mailing Address same as above					
Full name of third joint inventor (given name, family name)					
Inventor's signature		Date			
Residence		Citizenship			
Mailing Address					
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets form PTO/SB/02A or 02LR attached hereto.					



PTO/SB/53 (05-03)

Approved for use through 01/31/2004. OMB 0651-0033

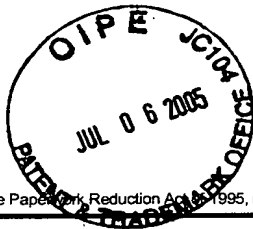
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<b>REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT</b>		Docket Number (Optional) <b>1662/492021</b>
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) <b>Claude Singer and Judith Aronhime</b>		
Patent Number	<b>6,365,574 B2</b>	Date Patent Issued <b>April 2, 2002</b>
Title of Invention <b>EHTANOLATE OF AZITHROMYCIN, PROCESS FOR MANUFACTURE, AND PHARMACEUTICAL COMPOSITIONS</b>		
<p>1. <input checked="" type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee owning an undivided interest in said original patent is/are <b>Teva Pharmaceutical Industries, Ltd.</b> and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) <b>Teva Pharmaceutical Industries, Ltd.</b>		
Signature x		Date x <b>16/6/2005</b>
Typed or printed name and title of person signing for assignee (if assigned) <b>Yehudah Livneh, PhD, General Patent Counsel</b>		
Signature x		Date x <b>19.8.05</b>
Typed or printed name and title of person signing for assignee (if assigned) <b>Uzi Karniel, General Counsel and Corporate Secretary</b>		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Teva Pharmaceutical Industries, Ltd.

Patent No.: 6,365,574 B2

Issue Date: April 2, 2002

Entitled: ETHANOLATE OF AZITHROMYCIN, PROCESS FOR MANUFACTURE AND PHARMACEUTICAL COMPOSITION THEREOF

Teva Pharmaceutical Industries Ltd

Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010675, Frame 0559, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_ Frame: \_\_\_\_\_ of for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_ Frame: \_\_\_\_\_ or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

X 16/5/2005, 2005  
Date

X  
Telephone Number

X 19/5/, 2005  
Date

X  
Telephone Number

Yehudah Livneh, PhD

Typed or printed name

X  
Signature

General Patent Counsel

Title

Uzi Karniel  
Typed or printed name

X  
Signature

General Counsel & Corporate Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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